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PRIGINAL

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[Docket No. 85-1-84JD]

ORDER GRANTING PARTIAL DISTRIBUTION OF 1984 JUKEBOX ROYALTY FEES

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On November 8, 1985, ASCAP, BMI AND SESAC, Inc. (A/B/S) filed a motion for distribution of 95% of the 1984 jukebox fund. A/B/S has filed a joint claim for 100% of the jukebox fund. ACEMLA has filed a claim for 10% of the jukebox fund. A/B/S argues that although it appears that 10% of the fund is in controversy, the Tribunal should distribute 95% of the jukebox fund, A/B/S asserting that, based on previous jukebox proceedings, retaining 5% would be more than sufficient to resolve ACEMLA's claim. ACEMLA filed an opposition to distribution of 95%. ACEMLA believes, based on the growth in their catalogue of music it represents, that it has filed a reasonable claim for 10%.

The Tribunal will make a distribution of 90% of the jukebox fund on December 19, 1985 to A/B/S. Although noting that "wildly inflated claims" could "frustrate" a partial distribution, as suggested by A/B/S, the Tribunal has found no basis here to make that finding.

Edward W. Ray

Acting Chairman

Dated: November 14, 1985